

**Commonwealth of Kentucky**  
**Natural Resources and Environmental Protection Cabinet**  
**Department for Environmental Protection**  
**Division for Air Quality**  
**803 Schenkel Lane**  
**Frankfort, Kentucky 40601**  
**(502) 573-3382**

## **AIR QUALITY PERMIT**

**Permittee Name:** Commonwealth Aluminum Lewisport, LLC  
**Mailing Address:** P.O. Box 480, Lewisport, Kentucky 42351

**Source Name:** Commonwealth Aluminum Lewisport, LLC  
**Mailing Address:** P.O. Box 480, Lewisport, Kentucky 42351

**Source Location:** Kentucky Highway 1957

**Permit Type:** Federally Enforceable  
**Review Type:** Synthetic Minor

**Permit Number:** F-99-014 (Revision 1)  
**Log Number:** F636, G612/53136 (Revision 1)  
**Application**  
**Complete Date:** April 5, 1999, August 21, 2000 (Revision 1)

**AFS Plant ID #:** 21-091-00010  
**SIC Code:** 3355

**Region:** Owensboro  
**County:** Hancock

**Issuance Date:** August 11, 1999  
**Revision Date:** April 10, 2001  
**Expiration Date:** August 11, 2004

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**John E. Hornback, Director**  
**Division for Air Quality**

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ATTACHMENT	40 CFR 63 SUBPART RRR NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SECONDARY ALUMINUM PRODUCTION; FINAL RULE		

## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application, which was determined to be complete on August 21, 2000, the Kentucky Division for Air Quality hereby authorizes the construction/operation\* or operation of the equipment described herein in accordance with the terms and conditions of this permit. This draft permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

\* Construction/operation of additional affected facilities only, indicated by asterisks in Section B of this permit.

## SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

### Group Requirements: Group 1

Emission Point Number	Company Number	Description	Type of Control	Operating Limit	Date Commenced	PM/PM10 Allowable
07	SCH-7	Aluminum alloying, and fluxing - holding furnace	None	71,376 TPY of Aluminum Cast	6-15-78	1.23 lb/hr (3.57 TPY)
09	SCH-9	Aluminum alloying and fluxing - holding furnace	None	71,376 TPY of Aluminum Cast	6-15-78	1.23 lb/hr (3.57 TPY)
11	SCH-11	Aluminum alloying, and fluxing - holding furnace	None	71,376 TPY of Aluminum Cast	6-15-79	1.23 lb/hr (3.57 TPY)
19	SMP-1	Secondary knife shredder and eddy current separator	Baghouse	94,500 TPY Scrap Processed	4-5-99	0.43 lb/hr (1.34 TPY)
20	NCH-11	6 Aluminum induction melt furnaces* (3 existing)	None	Alternate Operating Scenario	4-15-79 8-21-00 (Revision 1)	All 6 furnaces: 5.5 lb/hr (14.8 TPY)
20	NCH-8	W2 Aluminum reverberatory furnace-external charge well	Dry Scrubber, Baghouse	36,000 TPY Purchased Oily Aluminum/Salt Charged or * 10,200 TPY In-Plant Painted Aluminum or Combination of Purchased and In-Plant (see Section H)	4-5-99 8-21-00 (Revision 1)	2.33 lb/hr (10.22TPY)
A3	NCH-10	W2 Aluminum reverberatory furnace burner section ( melter and hot cleaning)	None	33,000 TPY non-painted Aluminum/Salt charged; 4,000 TPY SOW Charged	4-5-99	1.53 lb/hr (3.22 TPY)
24	NCH-8	North Casthouse Rotary Dross Cooler*	Baghouse	18,000 TPY of aluminum dross	8-21-00 (Revision 1)	3.58 lb/hr (4.60 TPY)
100	SCH-12	"Aluminum from dross" reclamation unit*	Baghouse	11.25 tons/hour of aluminum dross	8-21-00 (Revision 1)	0.86 lb/hr (3.75 TPY)

\* Construction of additional affected facilities.

### APPLICABLE REGULATIONS:

State Regulation 401 KAR 59:010: New process operations

State Regulation 401 KAR 50:035: Permits

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****1. Operating Limitations:**

The processing rates of materials used and emissions shall be limited to amounts which shall not cause a net increase in source-wide emissions of any regulated pollutant to exceed significant emission levels per State Regulation 401 KAR 51:017, Prevention of significant deterioration of air quality. (Self-imposed.)

**2. Emission Limitations :**

Pursuant to Regulation 401 KAR 59:010:

- a) For all emission points referenced above, emissions shall not equal or exceed 20 percent opacity, as determined with Reference Method 9, Appendix A 40 CFR 60.
- b) Hourly particulate emissions from each emission point listed in the above table as measured by Reference Method 5, Appendix A, 40 CFR 60, averaged over three hours shall not exceed each individual PM/PM10 emission rate listed in the above table. (Self-imposed.)
- c) Annual particulate emissions from each emission point listed in the above table as measured by Reference Method 5, Appendix A, 40 CFR 60, averaged over 12 consecutive months shall not exceed each individual PM/PM10 emission rate listed in the above table. (Self-imposed.)

**3. Testing Requirements:**

Performance tests shall be performed for:

- a) PM, PM10, and lead on emission points 24 and 100 while processing a maximum rate of aluminum dross for each emission point.
- b) PM, PM10, CO, NO<sub>x</sub>, SO<sub>2</sub>, total fluorides, and lead on emission point 20 (NCH-8) at the outlet of the corresponding dry scrubber and baghouse for the reverberatory furnace, while melting a maximum rate of in-plant painted aluminum scrap.
- c) PM, PM10, CO, NO<sub>x</sub>, SO<sub>2</sub>, total fluorides, and lead on emission point 20 (NCH-11), while all 6 induction melters are melting at maximum rate of aluminum scrap for operating scenario 1.

All performance tests must be completed as specified by Section G(d), General Conditions 5 and 6. Performance tests for PM, CO, NO<sub>x</sub>, SO<sub>2</sub>, total fluorides, and lead shall be performed by the reference methods specified in Regulation 401 KAR 50:015, Section 1. Performance tests for PM10 shall be performed reference method 40 CFR 51, Section M, Method 201 or 201A. The permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the Division's Frankfort Office at least thirty (30) days prior to the date of the required performance tests. The Division shall be notified of the actual test date at least ten (10) days prior to the tests and given the opportunity to attend/observe the performance test.

**4. Monitoring Requirements:**

- a) To provide reasonable assurance that the visible emission limitations are being met the permittee shall:
  - i) determine the opacity of emissions during operation from each stack or vent that does not exhaust through a baghouse by Reference Method 9 quarterly, or more frequently if requested by the Division.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****4. Monitoring Requirements: (continued)**

- ii) perform a qualitative visual observation of the opacity of emissions from each stack/vent that does not exhaust through a baghouse on a daily basis and maintain a log of the observation. The log shall note:
  - 1) whether any air emissions (except for water vapor) were visible from the vent/stack,
  - 2) all emission points from which visible emissions occurred, and
  - 3) whether the visible emissions were normal for the process.
- iii) determine the opacity of emissions by Reference Method 9 if visible emissions from any stack/vent that does not exhaust through a baghouse is perceived or believed to exceed the applicable standard.
- iv) For the baghouse on emission point 19 and the modified baghouse for the W2 melter external charge well, a log shall be maintained of the number of total operating hours for each 6-month period, each alarm event recorded by each detector, the time of each alarm, the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective actions taken. Similar actions shall be taken for the baghouse for emission points 24 and 100.
- b) To provide reasonable assurance that the particulate matter emission limitations (PM and PM10) are being met, the permittee shall monitor and maintain a 12-month rolling average of the amounts and types of process weight added to each particulate matter emissions unit. The average process weight shall be determined by dividing the total tons added to the emission point each month by the hours of operation for the corresponding month. Average particulate emissions shall be calculated as follows:

$$PE = (PW \times PEF)$$

Where PE = Particulate emissions in lbs./hr, PW = process weight in tons/hr, and PEF = particulate emission factor in lbs./ton of process weight. The particulate emission factor shall be developed from compliance test required in Section D or other emission test or emission factor approved by the Division.

- c) For emission units with control devices as listed in the table, the permittee shall operate and maintain in accordance with the manufacturer's specifications and/or standard operation practices.
- d) Throughput limits shall be monitored to ensure compliance with the emission limitations calculated above.

**5. Specific Recordkeeping Requirements:**

Records shall be maintained of the visual observations, quarterly Reference Method 9 tests and a 12-month rolling average for each of the amounts and types of process weight added to each emissions unit and the PM/PM10 emissions as calculated in 4.b.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**6. Specific Reporting Requirements:**

Any exceedance over the opacity or particulate matter emission limitations as stated in this permit shall be reported to the Division as specified in Section F (6). The company shall also certify to the Division, annually, that a daily visible emission survey is conducted and the specified records are being kept for these emission points. If more than two exceedances occur in any rolling six months, the owner or operator shall submit to the Division's Frankfort Regional Office a corrective action plan for the Division's approval on form DEP7007BB, no later than 30 days from the second exceedance.

**7. Specific Control Equipment Operating Conditions:**

The fabric filter units and dry scrubber shall be inspected for proper operation annually. Preventive maintenance shall be performed in accordance with good manufacturing practices.

**8. Alternate Operating Scenarios:**

Scenario 1: All 6 induction melters are operating uncontrolled for emission point 20, processing delacquered scrap and non-painted plant return scrap only.

Scenario 2: All 6 induction melters are operating uncontrolled when reverberatory melter W1 is down.

Scenario 3: All 6 induction melters are operating uncontrolled when reverberatory melter W6 is down.

Scenario 4: All 6 induction melters are operating uncontrolled when reverberatory melter W5 is down.

Scenario 5: All 6 induction melters are operating with their emissions vented to the dry scrubber and baghouse when reverberatory melter W2 is down.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Group Requirements: Group 2**

Emission Point Number	Company Number	Description	Type of Control	Operating Limit	Date Commenced	PM Allowable
02	SCH-2	Aluminum Melting, Alloying, and Fluxing	None	71,376 TPY of Aluminum Cast	3-1-65	0.90 lb/hr (3.57 TPY)
03	SCH-3	Aluminum Melting, Alloying, and Fluxing	None	71,376 TPY of Aluminum Cast	12-1-65	0.90 lb/hr (3.57 TPY)
04	SCH-4	Aluminum Melting, Alloying, and Fluxing	None	71,376 TPY of Aluminum Cast	12-1-65	0.90 lb/hr (3.57 TPY)
05	SCH-5	Aluminum Melting, Alloying, and Fluxing	None	71,376 TPY of Aluminum Cast	12-1-65	0.90 lb/hr (3.57 TPY)

**APPLICABLE REGULATIONS:**

State Regulation 401 KAR 61:020: Existing process operations

State Regulation 401 KAR 50:035: Permits

**1. Operating Limitations:**

The processing rates of materials used and emissions shall be limited to amounts which shall not cause a net increase in source-wide emissions of any regulated pollutant to exceed significant emission levels per State Regulation 401 KAR 51:017, Prevention of significant deterioration of air quality. (Self-imposed.)

**2. Emission Limitations:**

Pursuant to Regulation 401 KAR 61:020:

- Visible emissions from each emission point listed in the above table shall not equal or exceed 40 percent opacity, as determined with Reference Method 9, Appendix A, 40 CFR 60.
- Hourly particulate emissions from each emission point listed in the above table as measured by Reference Method 5, Appendix A, 40 CFR 60, averaged over three hours shall not exceed each individual PM emission rate listed in the above table. (Self-imposed.)
- Annual particulate emissions from each emission point listed in the above table as measured by Reference Method 5, Appendix A, 40 CFR 60, averaged over 12 consecutive months shall not exceed each individual PM/PM10 emission rate listed in the above table. (Self-imposed.)

**3. Testing Requirements:**

None.



**SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****4. Specific Monitoring Requirements:**

- a) To provide reasonable assurance that the visible emission limitations are being met the permittee shall:
  - i) Perform a quarterly opacity reading, or more frequent if requested by the Division, from each stack or vent using Reference Method 9. Opacity readings shall be conducted while the emission units are in operation.
  - ii) Perform a daily qualitative visual observation of the opacity of emissions from each stack/vent and maintain a log of the observation. The log shall note:
    - 1) Whether any air emissions (except for water vapor) were visible from the vent/stack,
    - 2) All emission points from which visible emissions occurred, and
    - 3) Whether the visible emissions were normal for the process.
  - iii) Determine the opacity of emissions by Reference Method 9 if visible emissions from any stack/vent is perceived or believed to exceed the applicable standard.
- b) To provide reasonable assurance that the particulate matter emission limitations (PM and PM10) are being met, the permittee shall monitor and maintain a 12-month rolling average of the amounts and types of process weight added to each particulate matter emissions unit. The 3-hour average process weight shall be determined by dividing the total tons added to the emission point each month by the hours of operation for the corresponding month. Average particulate emissions shall be calculated as follows:

$$PE = (PW \times PEF)$$

Where PE = Particulate emissions in lbs./hr, PW = process weight in tons/hr, and PEF = particulate emission factor in lbs./ton of process weight. The particulate emission factor shall be developed from compliance test required in Section D or other emission test or emission factor approved by the Division.

- c) For emission units with control devices as listed in the table, the permittee shall operate and maintain in accordance with the manufacturer's specifications and/or standard operation practices.
- d) Throughput limits shall be monitored to ensure compliance with the emission limitations calculated above.

**5. Specific Record Keeping Requirements:**

Records shall be maintained of the visual observations, quarterly Reference Method 9 tests and a 12-month rolling average for each of the amounts and types of process weight added to each emissions unit and the PM/PM10 emissions as calculated in 4.b.

**SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**6. Specific Reporting Requirements:**

Any exceedance over the opacity or particulate matter emission limitations as stated in this permit shall be reported to the Division as specified in Section F (6). The company shall also certify to the Division, annually, that a daily visible emission survey is conducted and the specified records are being kept for these emission points. If more than two exceedances occur in any rolling six months, the owner or operator shall submit to the Division's Frankfort Regional Office a corrective action plan for the Division's approval on form DEP7007BB, no later than 30 days from the second exceedance.

**7. Specific Control Equipment Operating Conditions:**

None.

**8. Alternate Operating Scenarios:**

None.

## SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

### Group Requirements: Group 1 and Group 2

Emission Point Number	Company Number	Description	Affected Source / Emission Unit
07	SCH-7	Aluminum alloying, and fluxing - holding furnace	Existing group 1 furnace
09	SCH-9	Aluminum alloying and fluxing - holding furnace	Existing group 1 furnace
11	SCH-11	Aluminum alloying, and fluxing - holding furnace	Existing group 1 furnace
19	SMP-1	Secondary knife shredder and eddy current separator	New aluminum scrap shredder
20	NCH-11	6 Aluminum induction melt furnaces	Existing group 1 furnace
20	NCH-8	W2 Aluminum reverberatory furnace- external charge well	New group 1 furnace New secondary aluminum processing unit (SAPU)
A3	NCH-10	W2 Aluminum reverberatory furnace burner section (SOW melter and hot cleaning)	Existing group 1 furnace
24	NCH-8	North Casthouse Rotary Dross Cooler	New rotary dross cooler
02	SCH-2	Aluminum Melting, Alloying, and Fluxing	Existing group 1 furnace
03	SCH-3	Aluminum Melting, Alloying, and Fluxing	Existing group 1 furnace
04	SCH-4	Aluminum Melting, Alloying, and Fluxing	Existing group 1 furnace
05	SCH-5	Aluminum Melting, Alloying, and Fluxing	Existing group 1 furnace
All of the above, except 19, 20 (NCH-8), and 24 (NCH-08)	All of the above, except SMP-1, NCH-8 (W2 and dross cooler)	All of the above, except Secondary knife shredder and eddy current separator, W2 Aluminum reverberatory furnace- external charge well, North Casthouse Rotary Dross Cooler	Existing SAPU

### APPLICABLE REGULATIONS:

40 CFR 63 Subpart RRR – National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production, applicable to the above affected sources.

40 CFR 63 Subpart RRR is hereby incorporated to this permit as an attachment.

#### 1. Operating Limitations:

The permittee shall comply with the applicable operating requirements in 40 CFR 63 Subpart RRR Section 63.1506.

#### 2. Emission Limitations:

The permittee shall comply with the applicable emissions standards in 40 CFR 63 Subpart RRR Section 63.1505.

**SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**3. Testing Requirements:**

The permittee shall comply with the applicable testing requirements in 40 CFR 63 Subpart RRR Sections 63.1511 to 63.1512.

**4. Monitoring Requirements:**

To provide reasonable assurance that emission limitations are being met, the permittee shall comply with the applicable monitoring requirements in 40 CFR 63 Subpart RRR Section 63.1510. To determine compliance with 40 CFR 63 Subpart RRR, the permittee shall use applicable equations in Section 63.1513.

**5. Specific Recordkeeping Requirements:**

The permittee shall comply with the applicable recordkeeping requirements in 40 CFR 63 Subpart RRR Section 63.1517.

**6. Specific Reporting Requirements:**

The permittee shall comply with the applicable notifying and reporting requirements in 40 CFR 63 Subpart RRR Sections 63.1515 and 63.1516.

**7. Specific Control Equipment Operating Conditions:**

The permittee shall comply with the applicable control equipment operating requirements in 40 CFR 63 Subpart RRR.

**8. Alternate Operating Scenarios:**

None.

## **SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. 3 Aluminum pre-heating units	None
2. 1000-Gallon capacity diesel fuel storage	401 KAR 59:050
3. 300-Gallon capacity kerosene fuel storage	None
4. Dirty Norpar 15 recovery distillation column	401 KAR 59:095
5. Dirty mineral spirits recovery distillation column	401 KAR 59:095

**SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS**

1. PM/PM10 emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, and 40 CFR 51, Section M, shall not exceed the respective limitations specified herein.
2. Compliance with annual emissions and processing limitations imposed pursuant to 401 KAR 50:035, Section 7(1)(a), and contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
3. Pursuant to the issuance of this permit, the source shall conduct performance tests for the listed emission points: 24, and 100 (baghouse outlet); 20 (external charge well through scrubber and baghouse, in proportion to the maximum amount of in-plant painted scrap melted); 20 (6 induction melters operating uncontrolled) in accordance with EPA approved test methods.

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place as defined in this permit, and time of sampling or measurements.
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 50:035, Permits, Section 7(1)(d)2 and 401 KAR 50:035, Permits, Section 7(2)(c)]
3. In accordance with the requirements of Regulation 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
  - a. Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
  - b. Have access to and copy, at reasonable times, any records required by the permit:
    - i. During normal office hours, and
    - ii. During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
  - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
    - i. During all hours of operation at the source,
    - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
    - iii. During an emergency; and
  - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
    - i. During all hours of operation at the source,
    - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
    - iii. During an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.



**SECTION F – MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

5. Reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be reported to the division's Owensboro Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit, unless otherwise stated in this permit. The permittee may shift to semi-annual reporting on a calendar year basis upon approval of the regional office. If calendar year reporting is approved, the semi-annual reports are due January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of Regulation 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.
6.
  - a. In accordance with the provisions of Regulation 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Owensboro Regional Office concerning startups, shutdowns, or malfunctions as follows:
    1. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
    2. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
  - b. In accordance with the provisions of Regulation 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Owensboro Regional Office within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by general condition F.5.
7. Pursuant to Regulation 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date or by January 30th of each year if calendar year reporting is approved by the regional office, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Owensboro Regional Office and the U.S. EPA in accordance with the following requirements:
  - a. Identification of each term or condition of the permit that is the basis of the certification;
  - b. The compliance status regarding each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent; and
  - d. The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c),(d), and (e).

**SECTION F - MONITORING, RECORD KEEPING, AND REPORTING  
REQUIREMENTS (CONTINUED)**

- e. The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date, or by January 30th of each year if calendar year reporting is approved by the regional office. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality  
Owensboro Regional Office  
3032 Alvey Park Drive W  
Owensboro, KY 42303

U.S. EPA Region IV  
Air Enforcement Branch  
Atlanta Federal Center  
61 Forsyth St.  
Atlanta, GA 30303-8960

Division for Air Quality  
Central Files  
803 Schenkel Lane  
Frankfort, KY 40601

8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.
9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

## **SECTION G - GENERAL CONDITIONS**

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and for federally enforceable permits is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
  - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the division, in writing, information that the division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. [401 KAR 50:035, Permits, Section 7(2)(b)3e and 401 KAR 50:035, Permits, Section 7(3)(j)]
5. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [401 KAR 50:035, Permits, Section 7(3)(k)]

**SECTION G - GENERAL CONDITIONS (CONTINUED)**

6. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [401 KAR 50:035, Permits, Section 7(3)(e)]
7. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.
8. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [401 KAR 50:035, Permits, Section 7(3)(h)]
9. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 50:035, Permits, Section 8(3)(b)]
10. This permit shall not convey property rights or exclusive privileges. [401 KAR 50:035, Permits, Section 7 (3)(g)]
11. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
12. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 50:035, Permits, Section 7(2)(b)5]
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 50:035, Permits, Section 8(3)(a)]
14. Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.
15. All previously issued construction and operating permits for South Casthouse holding furnaces that exhaust to emission points 02, 03, 04, and 05, and emission points 07, 09, 11, and 20 are hereby subsumed into this permit.

## **SECTION G - GENERAL CONDITIONS (CONTINUED)**

### **(b) Permit Expiration and Reapplication Requirements**

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 50:035, Permits, Section 12]

### **(c) Permit Revisions**

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

### **(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements**

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction, and within fifteen (15) days following start-up, and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Division for Air Quality's Owensboro Regional Office in writing, with a copy to the division's Frankfort Central Office, notification of the following:
  - a. The date when construction commenced.
  - b. The date of start-up of the affected facilities listed in this permit.
  - c. The date when the maximum production rate specified in the permit application was achieved.

**SECTION G - GENERAL CONDITIONS (CONTINUED)**

3. Pursuant to State Regulation 401 KAR 50:035, Permits, Section 13(1), unless construction is commenced on or before 18 months after the date of issue of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or if construction is not completed within eighteen (18) months of the scheduled completion date, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Extensions of the time periods specified herein may be granted by the division upon a satisfactory request showing that an extension is justified.
  4. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.
  5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration (test) on the affected facilities in accordance with Regulation 401 KAR 50:055, General compliance requirements. These performance tests must also be conducted in accordance with General Conditions G(d)6 of this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance test.
  6. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1.(1), at least one month prior to the date of the required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the division shall be notified of the actual test date at least ten (10) days prior to the test.
- (e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

## SECTION G - GENERAL CONDITIONS (CONTINUED)

### (f) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
  - a. An emergency occurred and the permittee can identify the cause of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
  - d. The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 50:035, Permits, Section 9(3)]

### (g) Risk Management Provisions

The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall:

- a. Submit a Risk Management Plan to U.S.EPA, Region IV with a copy to this division and comply with the Risk Management Program by June 21, 1999 or a later date specified by the U.S.EPA.
- b. Submit additional relevant information if requested by the division or the U.S. EPA.
- c. The Risk Management Plan must be submitted on diskette to:

RMP Planing Center  
P.O. Box 3346  
Merrifield, VA 22116-3346

Sources without computers can get an "electronic waiver" from EPA and submit a Risk Management Plan on paper.

### (h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
  - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.

**SECTION G - GENERAL CONDITIONS (CONTINUED)**

- b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
  - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.



## **SECTION H - ALTERNATE OPERATING SCENARIOS**

### **20 (NCH-8) W2 reverberatory melt furnace – external charge well**

#### **Alternate Operating Scenario 1:**

Melting purchased painted scrap with emissions controlled by the dry scrubber/baghouse control system.

#### **Alternate Operating Scenario 2:**

Melting in-plant return painted scrap with emissions controlled by the dry scrubber/baghouse control system.

#### **Alternate Operating Scenario 3:**

Melting a combination of purchased and in-plant painted scraps with emissions controlled by the dry scrubber/baghouse control system.

#### **Applicable Regulation:**

401 KAR 59:010 – New process operations.

#### **Operating Limitations :**

- a. Hourly charging rate of purchased painted scrap and/or in-plant painted scrap shall not exceed 11.39 tons/hour.
- b. Annual charging rate of purchased painted scrap shall not exceed 36,000 TPY.
- c. Annual charging rate of in-plant painted scrap shall not exceed 10,200 TPY.

## **SECTION I - COMPLIANCE SCHEDULE**

None.